

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH ARIAS,

Defendant.

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8:05CR425

ORDER

This matter is before the court on defendant's MOTION TO CONTINUE FILING PRE-TRIAL MOTIONS [19]. For good cause shown, I find that the motion should be granted in part. The defendant will be given an approximate 20-day extension. Pretrial Motions shall be filed by April 12, 2006.

IT IS ORDERED:

1. Defendant's MOTION TO CONTINUE FILING PRE-TRIAL MOTIONS [19] is granted in part. Pretrial motions shall be filed on or before **April 12, 2006**

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between March 23, 2006 and April 12, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 23rd day of March, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**